

**IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF DELAWARE**

UNITED STATES OF AMERICA,	)	
	)	
Plaintiff,	)	
	)	
v.	)	Criminal Action No. 06-50-GMS
	)	
MARTY J. EATON,	)	
	)	
Defendant.	)	

**MOTION FOR DETENTION HEARING**

**NOW COMES** the United States and moves for the pretrial detention of the defendant, pursuant to 18 U.S.C. § 3142(e) and (f). In support of the motion, the United States alleges the following:

1. **Eligibility of Case.** This case is eligible for a detention order because case involves (**check all that apply**):

- ☐ Crime of violence (18 U.S.C. § 3156)
- ☒ Maximum sentence life imprisonment or death
- ☒ 10+ year drug offense
- ☒ Felony, with two prior convictions in above categories
- ☐ Minor victim; possession or use of firearm, destructive device or other dangerous weapon; or failure to register under 18 U.S.C. § 2250
- ☒ Serious risk defendant will flee
- ☐ Serious risk obstruction of justice

2. **Reason For Detention.** The court should detain defendant because there are no conditions of release which will reasonably assure (**check one or both**):

- ☒ Defendant's appearance as required
- ☒ Safety of any other person and the community

3. **Rebuttable Presumption.** The United States WILL invoke the rebuttable presumption against defendant under § 3142(e). (If yes) The presumption applies because **(check one or both):**

  X   Probable cause to believe defendant committed 10+ year drug offense or firearms offense, 18 U.S.C. § 924(c)

       Previous conviction for "eligible" offense committed while on pretrial bond

4. **Time For Detention Hearing.** The United States requests the court conduct the detention hearing,

       At first appearance

  X   After continuance of   3   days (not more than 3).

5. **Temporary Detention.** The United States request the temporary detention of the defendant for a period of \_\_\_\_\_ days (not more than 10) so that the appropriate officials can be notified since **(check 1 or 2, and 3):**

1. At the time the offense was committed the defendant was:

       (a) on release pending trial for a felony;

       (b) on release pending imposition or execution of sentence, appeal of sentence or conviction, or completion of sentence for an offense;

       (c) on probation or parole for an offense.

       2. The defendant is not a citizen of the U.S. or lawfully admitted for permanent residence.

       3. The defendant may flee or pose a danger to any other person or the community.

6. Other Matters.

---

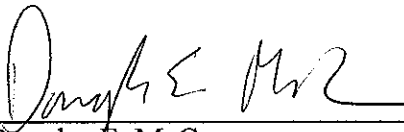
---

DATED this 17th day of October, 2006.

Respectfully submitted,

COLM F. CONNOLLY  
United States Attorney

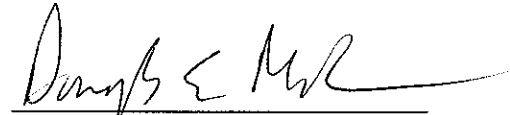
BY:

  
\_\_\_\_\_  
Douglas E. McCann  
Assistant United States Attorney

CERTIFICATE OF SERVICE

I, Douglas E. McCann, hereby certify that I caused the foregoing Motion for Detention to be served by CM/ECF this 17<sup>th</sup> day of October, 2006, on the following counsel:

Christopher Koyste, Esquire  
704 King Street, Suite 110  
Wilmington, Delaware 19801

  
\_\_\_\_\_  
Douglas E. McCann